

**REMARKS**

Applicants elect **with traverse** to prosecute claims 1-16 of Group I drawn to a method of inducing angiogenesis in a tissue of a first mammal wherein the method comprises implanting at least one micro-organ for producing a plurality of angiogenic factors.

Claims are related in that they are drawn to a process and an apparatus or means specifically designed for carrying out said process, as described in 37 CFR 1.475 (b)(4), wherein the process is a method of inducing angiogenesis and the means is a micro-organ.

Contrary to the examiner's assertion, Groups I-V relate to a single general inventive concept under PCT Rule 13.1, because the groups are linked by a special technical feature under PCT Rule 13.2. The Examiner alleged that a micro-organ can be a single cell that produces angiogenic factors. Applicant disagrees. A micro-organ is described in the specification as retaining "the basic micro-architecture of the tissues of origin while at the same time... prepared such that cells of an organ explant are not more than 100-450 microns away from a source of nutrients and gases." (page 7, lines 5-8). A single cell does not fall under the definition of a micro-organ and therefore the claims are novel over Isner et al (US Patent No 5,980,887). Therefore, the micro-organ is novel and is a special technical feature linking Groups I-V. Applicants therefore request withdrawal of the restriction requirement.

In addition, Groups II and V refer to administering products for inducing angiogenesis produced from a micro-organ ex vivo, while Group I refers to administering products for inducing angiogenesis produced from a micro-organ in vivo. Therefore, Groups I, II, and V are linked by the novel technical feature of a micro-organ.

Finally, Groups III and IV, drawn to a soluble molecule extract from a micro-organ and a micro-organ, are linked to Group I by the novel technical feature of a micro-organ. Group I refers to a process of inducing angiogenesis, and the micro-organ and/or products derived therefrom are a means for carrying out the induction of angiogenesis. As described above, 37 CFR 1.475(b)(4) acknowledges that claims drawn to a process and an apparatus or means specifically designed for carrying out

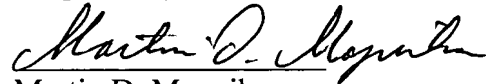
said process are linked. Applicants therefore request withdrawal of the restriction requirement.

For the reasons above, it is respectfully asserted that this restriction requirement is improper, and withdrawal is respectfully requested. All claims of Groups I-V should be examined together.

Applicants reserve all rights in non-elected claims 17-36 to file divisional and/or continuation patent applications.

If the Examiner has any questions or comments as to this response, the undersigned may be contacted at the address and telephone number below.

Respectfully submitted,



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***Enc:***

Petition for a Five-Month Extension of Time